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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

nCAP LICENSING, LLC, nCAP
TELECOMMUNICATIONS LLC, nCAP
MEDICAL, LLC,

Plaintiffs,

v.

APPLE INC.,

Defendant.

**STIPULATED MOTION TO EXTEND
FACT DISCOVERY DEADLINE**

Case No.: 2:17-cv-00905

Judge: Robert J. Shelby

Magistrate Judge: Brooke C. Wells

The parties hereby stipulate and jointly move the Court to modify the existing Scheduling Order by extending the deadline for fact discovery to December 19, 2018. Fact discovery currently is set to end on November 19, 2018. *See* Dkt. 128. Good cause exists to extend the deadline by one month because it will not affect any deadlines for expert discovery, summary judgment, or trial (all of which depend upon the issuance of the claim construction order), will provide time during fact discovery for the parties to comply with any further orders on discovery motions, and will better facilitate an orderly completion of party and third party depositions (the parties have conducted numerous depositions, but many remain) and follow-up discovery stemming from such depositions. Accordingly, the parties respectfully request that the Court extend the deadline for fact discovery by one month, to December 19, 2018.

A proposed order, consistent with the foregoing joint stipulated motion, is submitted herewith.

Dated: November 9, 2018

Respectfully submitted,

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